

63rd Legislature

SENATE BILL NO. 18
INTRODUCED BY B. HAMLETT

Proposed Amendments to Introduced Version

1. Title, page one, line 7.
Following "amending"
Strike the word "sections"
Insert "section"
2. Title, page one, line 7.
Following "77-1-102"
Strike "and 77-1-103".
3. Page one, lines 12 – 13.
Following "stream."
Strike the words "(1) Subject to subsections (2) and (3), if"
Insert "If".
4. Page one, line 17.
Following "seeking"
Insert the words "to clarify"
5. Page one, line 17.
Following "subsection (1)"
Strike "shall"
Insert the word "may".
6. Page one, line 19.
Strike first word "new"
Insert the word "abandoned"
7. Page one, line 19.
Following "affected owner"
Insert "'s notification"
8. Page one, line 19.
Following "shall"
Insert "include"
Strike "also provide the department with"
9. Page one, line 22.
Strike "new"
Insert "abandoned"

10. Page one, line 22.

Following "avulsion."

Strike the remainder of subsection (3) in its entirety

11. Page one, line 27.

Following "(4)"

Strike "Upon"

Insert "If the department determines the abandoned channel was created by avulsion and upon"

12. Page one, line 27.

Following "board,"

Insert "the board shall issue a disclaimer of interest for the abandoned channel.

Strike "the affected owner"

Insert "The affected owner may utilize any such disclaimer of interest to support its ownership claims in any quiet title action filed in district court to clarify the ownership of the abandoned channel. Upon obtaining any quiet title judgment or declaration in its favor, the owner may".

13. Page one, line 27.

Following "the affected owner"

Strike "shall"

14. Page one, line 30.

Following (5)

Strike "The"

Insert "Except for those portions determined to be owned by the state, the"

15. Page two, line 1.

Following "date"

Strike "the board approves the transfer or sale"

Insert "a district court issues a judgment determining title to the property"

16. Page two, lines 4 – 7

Strike subsections (7) and (8) in their entirety

17. Page two, line 12

Following "navigable river"

Strike "means a river or stream adjudicated as navigable for title purposes by a court of competent jurisdiction"

Insert "has the same meaning as defined in 85-1-112"

18. Page two, line 16

Strike "The"

Insert "Except as provided in [section 1] and subsection (2) of this section and subject to Title 70, chapter 18, part 2, the"